

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:08CR192-MR

UNITED STATES OF AMERICA)	
)	
v.)	<u>O R D E R</u>
)	
GRADY LEE RUSHING,)	
)	
Defendant.)	

THIS MATTER is before the Court on Defendant's "Motion To Suppress Evidence" (document# 18) filed January 22, 2009. Before a hearing is scheduled on Defendant's motion, counsel will be required to meet in person to discuss their respective positions, including the possibility of a mutually acceptable plea agreement. Thereafter, unless Defendant explicitly withdraws his motion, the undersigned will require a written response from the Government.

NOW THEREFORE, in the interest of the fair and efficient administration of justice:

1. Counsel shall meet in person **on or before Friday, February 6, 2009**, to discuss their respective positions--both regarding a fair and appropriate disposition of the charges generally, and regarding Defendant's Motion To Suppress in particular.

2. Unless Defendant has withdrawn his Motion to Suppress **on or before Thursday, February 12, 2009**, the Assistant U.S. Attorney handling this case (Thomas Cullen) shall prepare and file a written

response to Defendant's contentions on that date.

3. If the "Motion to Suppress" is not withdrawn, a hearing shall be held thereon on **Wednesday, February 18, 2009, at 10:00 a.m.**, in the U.S. Magistrate Judge's Courtroom, First Floor, U.S. Courthouse, 401 W. Trade Street, Charlotte, N.C.

4. The Clerk is directed to send a copy of this Order to defense counsel; AUSA Cullen; and to the Honorable Martin K. Reidinger.

SO ORDERED.

Signed: January 23, 2009

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

